

#### Final WOMT Summary for 12/23/08:

After further discussion among WOMT agency management, the DCC gate closure operation at night for the North Delta Salmon Outmigration Study continued through Monday, December 22. On December 22, 2008 at about 3:45 pm the DCC gates were closed until further notice for protection of outmigrating salmonids.

WOMT also had a discussion regarding the smelt working group meeting on Monday, Dec 22 and the triggers in the new OCAP BO for a potential delta smelt action (Part B of Action1) in Dec. None of the triggers has been met to date. WOMT will discuss again next week.

Also during today's WOMT discussion, DWR representatives raised high concerns regarding a proposed Adult Delta Smelt Mark Recapture Experiments taking place at Skinner Fish Facility and Clifton Court Forebay during the months of coming January and February. These experiments are a part of ongoing studies sponsored by the CALFED Science Program to investigate the salvage efficiency and predation loss related to Clifton Court Forebay operation. Similar experiments were conducted in May-June of 2008 for juvenile Delta Smelts. The primary concerns are as follows:

- 1) Risk that experimental fish will be misidentified as wild. Is the marking system robust enough to distinguish cultured fish from wild, especially if experimental fish survive for an extended period of time in the forebay?
- 2) Risk that the cultured fish survive and spawn in the forebay. If cultured fish do spawn, is there any verification process in place to differentiate the offspring from wild fish later in the spring?
- 3) Even if risks identified above are low, the consequences may be great. For example, the false triggering of actions under new USFWS biological opinion may have significant impacts to water supply.
- 4) Will cultured fish be an appropriate surrogate for wild fish in terms of study results?

The Project Agencies recommended that the first phase of the experiment that is scheduled to begin January 6, 2009 be postponed until concerns are adequately addressed. FWS representatives agreed to respond to the above concerns subsequently.